

**INCOMING TELEGRAM**

*Department of State*

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FROM: BONN

TO: Secretary of State

NO: 2396, FEBRUARY 4, 6 PM

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PRIORITY

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SENT DEPARTMENT 2396, REPEATED INFORMATION BERLIN 514, LONDON  
PARIS MOSCOW UNNUMBERED

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E

REPEATED INFORMATION USAREUR 380 BY OTHER MEANS

SCA  
PPT  
SCS

REFERENCE: DEPTTEL 2032

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BRITISH AND FRENCH HAVE AGREED PROPOSAL CONTAINED EMBTEL 2377  
AND APPROVED BY DEPT'S REFTL, AND HAVE ALSO AGREED TO WRITTEN  
STATEMENT BEING GIVEN KOTSIUBA. BRITISH AGREEMENT IS SUBJECT  
TO NON-OBJECTION BY LONDON AND BERLIN TO WHOM THEY CABLING TEXT  
OF TRIPARTITE INSTRUCTIONS TO POLITICAL ADVISERS AS QUOTED  
BELOW. BOTH BRITISH AND FRENCH HAVE MISGIVINGS ABOUT WRITTEN  
STATEMENT SINCE THEY ANTICIPATE IT WILL PROVOKE WRITTEN REJECTION  
IN RETURN AND LEAVE US IN DIFFICULT SITUATION. HOWEVER, IN  
VIEW DEPT'S STRONG DESIRE THAT PAPER BE LEFT WITH KOTSIUBA,  
THEY AGREED TO GO ALONG.

OCB  
USIA  
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NAVY  
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FOLLOWING IS TEXT OF TRIPARTITE INSTRUCTIONS TO POLITICAL ADVISERS:

BEGIN TEXT 1. POLITICAL ADVISERS SHOULD TELL KOTSIUBA:

(A) DURING EXHAUSTIVE DISCUSSIONS CONCERNING DOCUMENTATION  
LAST SUMMER, QUESTION OF STAMPING WAS NOT RAISED AND WE DO NOT  
SEE WHY IT BEING RAISED NOW. WE CONSIDER STAMPING UNNECESSARY  
SINCE, AS PREVIOUSLY STATED, MOVEMENT ORDERS ARE ISSUED AS  
VALID FOR ONLY ONE ROUND TRIP, EXCEPT IN CASE OF TRAIN CREWS.

(B) IF, HOWEVER, FOR ADMINISTRATIVE REASONS KOTSIUBA CONSIDERS

SOME

PERMANENT

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SOME SORT OF STAMPING USEFUL, WE WOULD HAVE NO OBJECTION TO OUR TRAIN COMMANDERS AFFIXING APPROPRIATE STAMPS ON MOVEMENT ORDERS IN PRESENCE OF SOVIET OFFICER AT MARIENBORN CHECKPOINT.

2. IF KOTSIUBA REJECTS THIS AND INSISTS INSTEAD ON SOVIET STAMPING, POLITICAL ADVISERS MAY AGREE PROVISIONALLY, SUBJECT TO A STUDY OF THE STAMP TO BE USED, OF WHICH THEY WILL ASK KOTSIUBA FOR SAMPLES. THEY WILL ALSO MAKE THEIR AGREEMENT SUBJECT TO FOLLOWING CONDITIONS:

(A) THAT STAMPING IS DONE ON STATION PLATFORM, I. E., TRAIN COMMANDERS DO NOT LEAVE SIDE OF THEIR TRAINS AND THEY WILL NOT PERMIT THE DOCUMENTS OUT OF THEIR SIGHT;

(B) THAT THERE BE NO DELAY IN TRAIN SCHEDULES;

(C) THAT TRAIN CREWS HAVE THIRTY-DAY MOVEMENT ORDERS;

(D) THAT MOVEMENT ORDERS CONTINUE TO BE VALID FOR TRAVEL ONE WAY BY RAIL WITH RETURN TRIP BY AUTOBAHN, OR VICE VERSA, IF TRAVELLERS SO DESIRE.

3. IF KOTSIUBA PRODUCES THE STAMP FORTHWITH AND IT IS SIMILAR TO THAT USED ON THE AUTOBAHN, I.E. IS MERELY A SMALL DATE STAMP, POLITICAL ADVISERS MAY SAY THAT IT IS ACCEPTABLE AND THEY SHOULD ASK FOR NUMBER OF SAMPLES FOR INFORMATION OF TRAIN COMMANDERS. IF STAMP DIFFERS MATERIALLY FROM THAT USED ON AUTOBAHN, POLITICAL ADVISERS SHOULD SAY THEY WILL STUDY IT AND COMMUNICATE WITH KOTSIUBA AGAIN. IF KOTSIUBA HAS NO SAMPLE AVAILABLE, POLITICAL ADVISERS WILL MAKE THEIR AGREEMENT CONDITIONAL ON A STUDY OF THE SAMPLES WHICH KOTSIUBA SHOULD SEND THEM. IN THIS EVENT IT MAY BE NECESSARY TO POSTPONE INTRODUCTION OF STAMPING.

4. CHAIRMAN POLITICAL ADVISER SHOULD READ FOLLOWING STATEMENT TO KOTSIUBA AND LEAVE WITH HIM COPY FOR THE RECORD:

"IN DECIDING TO PERMIT SOVIET OFFICIALS AT THE CHECKPOINTS TO PLACE

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PLACE STAMPS ON THE MOVEMENT ORDERS, IF THEY SO DESIRE, THE POLITICAL ADVISERS WISH TO POINT OUT THAT THEIR GOVERNMENTS CONSIDER SUCH A PROCEDURE MEANINGLESS EXCEPT AS AN ADMINISTRATIVE PROCEDURE. IT DOES NOT IMPLY ANY RECOGNITION OF SOVIET AUTHORITY TO QUESTION THE VALIDITY OF THE MOVEMENT ORDERS, EITHER IN GENERAL OR FOR THE PARTICULAR TRAVEL BEING UNDERTAKEN, OR TO RAISE ANY QUESTION REGARDING INDIVIDUAL PASSENGERS IN CONNECTION WITH THE CLEARANCE OF THE TRAINS. THE THREE AMBASSADORS, COMMANDERS IN CHIEF, AND BERLIN COMMANDANTS HAVE THE SOLE COMPETENCE TO DETERMINE WHO MAY TRAVEL TO AND FROM BERLIN IN CONNECTION WITH THE OCCUPATION OF BERLIN, AND WHETHER THE MOVEMENT ORDERS ISSUED UNDER THEIR AUTHORITY ARE VALID FOR SUCH TRAVEL. THE ROLE OF THE SOVIET AUTHORITIES IN CONNECTION WITH THE DOCUMENTATION OF THESE TRAVELLERS IS SOLELY TO CLEAR WITHOUT DELAY PROPERLY IDENTIFIED ALLIED AUTOBAHN TRAVELLERS AND PROPERLY DOCUMENTED ALLIED MILITARY TRAINS AND THE PASSENGERS AND CREWS THEREON."

END TEXT.

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